



California Fair Political Practices Commission

October 17, 1986

Susan L. Lieberz
3758 Griffith View Drive
Los Angeles, CA 90039

Re: Your Request for Advice
Our File No. A-86-279

Dear Ms. Lieberz:

The Fair Political Practices Commission has received your letter dated September 17, 1986, and several subsequent letters seeking advice and assistance regarding certain public officials.

QUESTIONS

1. May a county supervisor express particular concern for the members of one religious group?
2. May a mayor endorse the religious practices of one group, while failing to answer a communication from a member of another religious group?
3. May the Commission inform you of the religious affiliation of the judge who will be presiding over an action involving the Church of Scientology?

CONCLUSION

The Fair Political Practices Commission cannot respond to the questions raised in your letters as the issues raised are not covered by the Political Reform Act.

ANALYSIS

The Political Reform Act of 1974^{1/} is an initiative enacted by the People of the State of California. The basic purposes of the Act are to ensure (1) that receipts and expenditures in

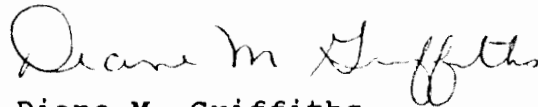
^{1/} Government Code Sections 81000-91015. All statutory references are to the Government Code unless otherwise noted. Commission regulations appear at 2 California Administrative Code Section 18000, et seq. All references to regulations are to Title 2, Division 6 of the California Administrative Code.

Susan L. Lieberz
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elections are fully disclosed so voters are aware of who has contributed to candidates they may be voting for; (2) that lobbyist activities are regulated so that public officials are not improperly influenced; and (3) that assets and income of public officials are disclosed and, in appropriate circumstances, officials are disqualified from participating in decisions affecting their financial interests. (Government Code Section 81002.)

The Political Reform Act does not regulate the endorsement practices of public officials, nor require disclosure of religious affiliations. Therefore, the concerns in your September 17 letter cannot be resolved by the Fair Political Practices Commission. Your subsequent letters also describe events and concerns unrelated to the Political Reform Act.

Sincerely,

A handwritten signature in cursive script that reads "Diane M. Griffiths". The signature is written in dark ink and is positioned above the typed name and title.

Diane M. Griffiths
General Counsel

DMG:JET:km

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Los Angeles

17 September 1986

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FAIR POLITICAL PRACTICES COMMISSION
107 South Broadway
Los Angeles CA 90005

RE: MICHAEL D. ANTONOVICH, SUPERVISOR
FOR THE FIFTH DISTRICT

THE UNITED NATIONS AND ZIONISM

SUSAN LEE (MINTON) LIEBERZ, MEMBER
CHURCH OF SCIENTOLOGY OF CALIFORNIA

Dear Commissioner:

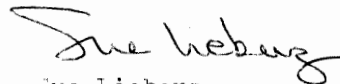
I would like you to know that I have written to Supervisor Antonovich on several occasions. I have written to him as regards my religious rights.

I have a letter from Supervisor Antonovich which does assure me that while the County Board of Supervisors does take no political concern as regards religions of the world; Mr. Antonovich does hope that proper Constitutional Law and other law (?) will be applied to any judgement made as concerns the Church of Scientology of California.

In the Sunday Daily News, September 14, 1986, Supervisor Antonovich does make Zionism and United Nations Resolution a matter of his personal public concern. Is that area of concern in Supervisor Antonovich's Los Angeles County District?

Is it a fair political practice to make the members of one group, while in government office, a special interest? I do not believe that it is thus am I communicating with this Commission.

Sincerely,



Sue Lieberz

CC: Earle C. Cooley, Attorney, Church of Scientology of California
Michael D. Antonovich, Supervisor Fifth District, LA County
Reverend Ken Hoden, President of the Church of Scientology of California
Black Ministers Coalition



SUSAN L. LIEBERZ
3758 GRIFFITH VIEW DRIVE
LOS ANGELES, CA 90039

SEP 1 1986

PPPC
Los Angeles

17 September 1986

FAIR POLITICAL PRACTICES COMMISSION
107 South Broadway
Los Angeles CA 90005

RE: MAYOR OF THE CITY OF LOS ANGELES,
TOM BRADLEY

NICHIREN SHOSHU SOKAGAKKAI (NSA) OF
AMERICA

THE CHURCH OF SCIENTOLOGY OF CALIFORNIA

Dear Commissioner:

I would like you to know that recently I was given a brochure by a member of NSA. On this brochure there did appear a picture of Mayor Tom Bradley (it did say, MAYOR) and his endorsement of the religious practices of this group.

I do not actually believe that it is consistent with political practices within the State of California for a Mayor of a city (elected official) to endorse the religious practices of one group while failing to answer communication from a member of another religious group. This would call into mind practices of prejudice and discrimination in the mind of a person who did not happen to belong to or promote NSA.

I do not know what Mayor Bradley's personal, private, or political motives might be as regards endorsement of this group; but if he is not free to endorse all religious groups equally, perhaps he should endorse none.

You may obtain a copy of this brochure by contacting the NSA group as listed in the Yellow Pages under religious organizations, or you may write to Earle C. Cooley, Attorney at Law, Church of Scientology of California; if there is no copyright violation, he might be willing to send to you a xeroxed copy of the brochure which I did send to him sometime ago. He might be willing to also discuss with you the political comments made by the person handing out this brochure. As I found the comments of interest, perhaps Mr. Cooley did also find them of some political interest. As I do not speak for Mr. Cooley, but do only know of his very excellent work as regards the protection of religious rights for all American religious groups; I can only advise you that as he is willing to accept communication from me, he might also be willing to accept communication from the Commission:

Earle C. Cooley, Attorney at Law
% The Office of Special Affairs
Legal Department
1404 North Catalina Street
Los Angeles CA 90026

Sincerely,


Susan Lee (Minton) Lieberz

 SUSAN L. LIEBERZ
3758 GRIFFITH VIEW DRIVE
LOS ANGELES, CA 90039

CC: Earle C. Cooley, Attorney, Church of Scientology of California
Mayor of the City of Los Angeles, Tom Bradley
Reverend Ken Hoden, President Church of Scientology of California
Black Ministers Coalition

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Los Angeles

17 September 1986

FAIR POLITICAL PRACTICES COMMISSION
107 South Broadway
Los Angeles CA 90005

RE: THE FIRST AMENDMENT TO THE CONSTITUTION
OF THE UNITED STATES OF AMERICA v.

JUDGE SWEARINGER, LOS ANGELES COUNTY
MUNI-COURT

Dear Commissioner:

It has been brought to my attention that in possible violation of unprejudiced and nondiscriminatory applications of First Amendment Constitutional rights as regards political policy of the United States of America and the religious rights of Churches within the State of California; the Church of Scientology of California has been ordered into court and its religious beliefs and practices put on public trial.

If at all possible, I would like for you to find out and inform me of the religious affiliations of Judge Swearinger. I, as a Scientologist and a member of the Church of Scientology of California, would like to know the religious affiliations of the man who is seeking to sit in judgement of my religion. I would like this information so that I might personally communicate with his minister as regards First Amendment rights in the United States of America and their application to Judge Swearinger and his religious practices.

I do feel that if the Commission is unwilling to make this information known to me, that religious information as regards the members of my Church should not be disclosed to Judge Swearinger as a matter of First Amendment Constitutional rights application.

It is a workable maxim in the United States of America that politics and religion do not mix; thus, First Amendment rights. As it does seem to be Judge Swearinger's belief that he may sit and judge that which has, to date, gone unjudged by God, himself--any one man's religion; I would in the matter of public religious interest like it made a matter of public record just what Judge Swearinger's personal religious affiliations are or might be.

Surely it cannot be in America that religious rights are reserved for the few and judges of the court in particular. And, surely it must be that a judge cannot seek to judge in a courtroom the religion of another without making it public knowledge that nothing in his religious background could possibly introduce one shred of religious prejudice into the judgement of a case of a religious nature.

Where one man is put on trial for a crime of any nature, his religion would be of little or no concern; but where a Church is brought to trial in a courtroom, one cannot but know that there is no way that religion could not be the concern. One man may steal an auto, grand theft auto; but a religion cannot steal an auto. In truth, no criminal action can be done by a Church. One man, yes. A named group of men, yes. One man or a group of men acting for others, yes; but a Church of un-named men--NEVER. Churches, Commissions, Schools, any such groups with un-named men do not commit crimes (See the Teapot Dome Scandal); really, in America, one does still have to try men and not Churches. It is a matter of correct application of Constitutional Law.

Courts being supported by both taxes and political appointment are not non-political entities. This is a matter for the Fair Political Practices Commission.

Very best regards,

S. Lieberz



SUSAN L. LIEBERZ
3758 GRIFFITH VIEW DRIVE
LOS ANGELES, CA 90039

(over)

CC: Judge Swearingen
Los Angeles County Counsel
Earle C. Cooley, Attorney, Church of Scientology of California
Reverend Ken Hoden, President Church of Scientology of California
Coalition of Black Ministers



California Fair Political Practices Commission

September 24, 1986

Susan L. Lieberz
3758 Griffith View Drive
Los Angeles, CA 90039

Re: 86-279

Dear Ms. Lieberz:

Your letters requesting advice under the Political Reform Act were received on September 22, 1986 by the Fair Political Practices Commission. If you have any questions about your advice request, you may contact me directly at (916) 322-5901.

We try to answer all advice requests promptly. Therefore, unless your request poses particularly complex legal questions, or more information is needed, you should expect a response within 21 working days.

Very truly yours,

Jeanette E. Turvill
Legal Assistant

JET:plh

A-86-279

See Extra file (in file
Cabinet) for incoming
Attachments and
subsequent incoming
letters from requester